

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF OKLAHOMA**

MARSIAL GARCIA,

Petitioner,

v.

OKLAHOMA DEPARTMENT OF  
CORRECTIONS,

Respondent.

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Case No. CIV-21-202-D

**ORDER TRANSFERRING CASE**

This matter is before the Court for review of the Report and Recommendation [Doc. No. 5] issued by United States Magistrate Judge Shon T. Erwin pursuant to 28 U.S.C. § 636(b)(1). Judge Erwin recommends a transfer of this habeas action under 28 U.S.C. § 2254 to the United States District Court for the Eastern District of Texas. Upon review of the file, and noting no timely objection to the findings and recommendations, the Court adopts the Report and Recommendation [Doc. No. 5] in its entirety.

**IT IS THEREFORE ORDERED** that this action is transferred to the United States District Court for the Eastern District of Texas.

**IT IS SO ORDERED** this 14<sup>th</sup> day of April, 2021.



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TIMOTHY D. DeGIUSTI  
Chief United States District Judge